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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,902	02/10/2004	Genevieve B. Kurz	END920030097US1	3049
23550 7590 12/14/2007 HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207			EXAMINER CHAVIS, JOHN Q	
			ART UNIT 2193	PAPER NUMBER
			NOTIFICATION DATE 12/14/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hwdpatents.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/776,902	<b>Applicant(s)</b> KURZ ET AL.	
	<b>Examiner</b> John Chavis	<b>Art Unit</b> 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

2. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al. (2005/0071853). The applicant indicated in his response that a declaration under 35 USC 1.131 was being filed to overcome the Jones reference; however, the papers were not filed with the response to the previous action as of 12/10/07.

We claim:	Jones
1. A model driven portlet development method, comprising:	See the title and the abstract
providing a set of portlet patterns; the abstract in which the template	See the second and third sentences of provides for the set of patterns.
encoding a portlet by binding values to at least one of the set of portlet patterns;	See the last two sentences of the abstract in which the builder provides for binding.
binding the portlet to a portal server catalog; and	See sects. 0005 and 0014.

creating an instance of the portlet using an instantiator portlet running on a portal server.

See sect. 0033 and claim 20.

2. The method of claim 1, further comprising selecting a presentation template, wherein the portlet is arranged according to the presentation portlet.

See the last step of Jones' claim 1.

3. The method of claim 1, wherein the set of portlet patterns comprise display from a file source, display from a federated data source, submit data and two way interaction.

See the last sentence of sect. 0002, and sect. 0029.

4. The method of claim 1, further comprising receiving values prior to the encoding step.

In utilizing an abstract portlet, as specified in fig. 3, it is considered inherent that values are received prior to encoding to make the abstract portlets concrete (usable), see sect. 0032.

5. The method of claim 1, wherein the binding step comprises dynamically binding the portlet to the portal server catalog,

Sect. 0026 provides for dynamically exploiting individual model characteristics, and sect. 0029 provides for computing fields automatically (dynamically) and the selection of a hyperlink in sect. 0022 also provides for dynamically binding to the server.

6. The method of claim 1, wherein the binding step comprises deliberately binding the portlet to the portal server catalog.

See sects. 0018-0022.

7. The method of claim 1, wherein the portlet is encoded using common portlet markup language.

WPAL (see sect. 0028) is considered a common portal markup language.

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8. The method of claim 1, wherein the values are populated into a table.

Jones provides for populating values, see sect. 0029; however, he does not Specify that they are populated into a table. However, it would have been obvious to a person having ordinary skill in the art at the time of the invention to populate items via a table to simplify updates and to provide for easy tracking of changes.

9. The method of claim 1, wherein underlying functions of the portlet are performed by the instantiator portlet.

See sects. 0032-0033.

10. The method of claim 1, further comprising designating a window state for the portlet.

See sects. 0024-0025.

In reference to claims 11, 19-20, and 28, see the rejection of claim 1 above.

Claims 12-13, 22-23, and 29-30 are rejected as claims 7-8.

For the teachings of claims 14-17, 24-26, and 31-33, see the rejection of claims 3-6.

As per claim 18, 27, and 34 see the rejection of claim 10.

The features of claim 21 are taught via claim 2.

### ***Conclusion***

### ***Response to Arguments***

3. Applicant's arguments filed 9/27/07 have been fully considered but they are not persuasive. In the response, the applicant indicated that a 1.131 declaration was being filed to overcome the previous rejection; however, no such document has been filed.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

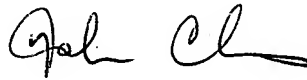
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is 5712723720. The examiner can normally be reached on 9:00 am-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An-Ai can be reached on 5712723756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

A handwritten signature in black ink, appearing to read 'John Chavis'.

John Chavis  
Primary Examiner